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MEMO ENDORSED

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*Lead Counsel for Lead Plaintiffs Thomas Alderson
and Doris Alderson
and the Class*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TED DAVISON, WILLIAM GOULD, AND
RAY LENC1, Individually And
On Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

VENTRUS BIOSCIENCES, INC., DR.
RUSSELL H. ELLISON, and DAVID J.
BARRETT,

Defendants.

Case: 13-CV-3119-RMB

HON. JUDGE RICHARD M.
BERMAN

**LEAD PLAINTIFFS' MOTION FOR RECONSIDERATION OF THE COURT'S MAY 5,
2014 ORDER GRANTING DEFENDANTS' MOTION TO DISMISS**

Pursuant to Local Civil Rules 6.3 and Fed. R. Civ. P. 59(e) and 60(b), Lead Plaintiffs, Thomas and Doris Alderson (the "Aldersons"), respectfully move this Court for reconsideration of its May 5, 2014 Opinion and Order ("Order") granting Defendants' Motion to Dismiss the Consolidated Amended Class Action Complaint with Prejudice ("Motion to Dismiss").

For all of the reasons set forth in the Memorandum of Law in Support of Lead Plaintiff's Motion for Reconsideration of the Court's Order Granting Defendants' Motion to Dismiss which is being filed herewith, Lead Plaintiffs respectfully request that the Court grant Plaintiff's motion for reconsideration, vacate the Order dismissing the Complaint with prejudice, and deny the Defendants' Motion to Dismiss.

Dated: May 19, 2014

Respectfully submitted,

KAHN SWICK & FOTI, LLC

/s/ Kim E. Miller

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<i>Defendants to respond</i>	
<i>by June 17, 2014.</i>	
SO ORDERED:	<i>Richard M. Berman</i>
Date: <i>5/20/14</i>	
Richard M. Berman, U.S.D.J.	